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**BROWDY AND NEIMARK, P.L.L.C.**  
ATTORNEYS AT LAW  
PATENT AND TRADEMARK CAUSES

ALVIN BROWDY (1917-1998)  
PATENT AGENT  
ALLEN C. YUN, PH.D.

HERIDAN NEIMARK  
ROGER L. BROWDY  
ANNE M. KORNBAU  
NORMAN J. LATKER  
DIANA MICHELLE SOBO  
AOI NAWASHIRO

SUITE 300  
624 NINTH STREET, N.W.  
WASHINGTON, D. C. 20001-5303

TELECOPIER FACSIMILE  
(202) 737-3528  
(202) 393-1012

TELEPHONE (202)-628-5197  
January 23, 2004

OF COUNSEL  
IVER P. COOPER  
JAY M. FINKELSTEIN

E-MAIL  
mail@browdyneimark.com

Hon. Commissioner for Patents  
Box Patent Appln  
Washington, D.C. 20231

Re: Division of Application No. 10/200,499  
Applicant(s): Takehito YOSHIDA et al  
Title: PARTICLE COUNTING METHOD AND PARTICLE COUNTER  
Atty's Docket: YOSHIDA=17A

Sir:

Attached herewith is the above-identified divisional application for Letters Patent including:

- ☒ Specification (39 pages), claims (3 pages) and abstract (1 page)
- ☒ 7 Sheets Drawings (Figures 1-7)
  - ☒ Formal ☐ Informal
- ☒ Declaration and Power of Attorney ( 2 page(s))
  - ☐ Newly executed ☒ Copy from prior application no. 10/200,499
- ☐ Preliminary Amendment
  - ☐ Computer-readable Sequence Listing
- ☒ Application Data Sheet (4 pages)
- ☐ Information Disclosure Statement with \_\_\_ references
- ☐ A verified statement to establish small entity status under 37 CFR §1.9 and 37 CFR §1.27 (\_\_\_ page(s))
- ☒ Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$ 770.00, to cover the filing fee calculated as follows (including any preliminary amendment for entry prior to calculation of the filing fee):

CLAIMS AS FILED				
FOR	NUMBER FILED	NUMBER EXTRA	RATE	BASIC FEE \$ 770.00
TOTAL CLAIMS	6- 20	= 0	x 18	--
INDEPENDENT CLAIMS	1- 3	= 0	x 86	--
<input type="checkbox"/> Multiple Dependent Claim Presented			+ 290	--
<input type="checkbox"/> Reduction of 1/2 for Small Entity				
TOTAL FILING FEE				\$ 770.00

- ☐ Any additional fee required by the filing of an enclosed preliminary or supplemental preliminary amendment (for entry after calculation of the filing fee) has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	CALCULATION
TOTAL		-	=	x 18	
INDEP.		-	=	x 86	
[ ]	Multiple Dependent Claim Presented			+ 290	
[ ]	Reduction by 1/2 for Small Entity				
Total Additional Fee =					

- ☐ Other Fees: \_\_\_\_\_.
- ☐ Other Attachments: \_\_\_\_\_.
- ☒ Return Receipt Postcard (in duplicate)

The following statements are applicable:

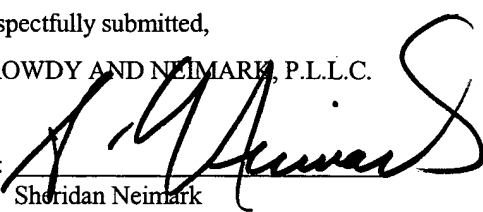
- ☒ The benefit under 35 USC §119 is claimed of the filing date of:  
Application No. P2001-400001 in Japan on December 28, 2001. Application No. P2001-221008 in Japan on July 23, 2001. Certified copies of said priority documents were filed in the parent application 10/200,499, on July 23, 2002.
- ☒ The present application is a Division of prior Application No. 10/200,499.
- ☒ Incorporation By Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied herewith, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☐ Pursuant to 37 C.F.R. §1.63(d)(2), please delete as inventor(s) the name(s) of \_\_\_\_\_, who is/are not inventor(s) in the present divisional application.
- ☒ The prior application was assigned to: Matsushita Electric Industrial Co., Ltd.  
1006, Oaza Kadoma, Kadoma-shi, Osaka 571-8501 Japan
- ☐ Amend the specification by inserting before the first line the sentence:  
--This is a division of copending parent application Serial No. \_\_\_\_\_, nationalized \_\_\_\_\_, of which the international application \_\_\_\_\_ was filed \_\_\_\_\_.--
- ☒ Certain documents were previously cited or submitted to the Patent and Trademark Office in the following prior application 10/200,499, which is relied upon under 35 USC §120. Applicants identify these documents by attaching hereto a form PTO/SB/08A listing these documents, and request that they be considered and made of record in accordance with 37 CFR §1.98(d). Per Section 1.98(d), copies of these documents need not be filed in this application.
- ☒ As in the parent application 10/200,499, please associate the present application with **Customer No. 001444** and recognize only the practitioners associated therewith.
- ☐ A verified statement claiming small entity status is enclosed in progenitor application no. \_\_\_\_\_, filed \_\_\_\_\_. Status is still proper and desired.

- ☐ The undersigned attorney of record hereby revokes the powers of attorney of:
- ☐ The undersigned attorney of record hereby appoints associate power of attorney, to prosecute this application and to transact all business in the Patent and Trademark Office in connection therewith to:
- ☒ The Commissioner is hereby authorized to charge payment of the following additional fees associated with this communication or credit any overpayments to Deposit Account No. 02-4035:
- ☒ Any additional filing fees required under 37 CFR §1.16.
- ☒ Any patent application processing fees under 37 CFR §1.17.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees, based on any paper filed during the pendency of this application or any CPA thereof, to effect any amendment, petition, or other action requested in said paper or credit any overpayments to Deposit Account No. 02-4035:
- ☒ Any patent application processing fees under 37 CFR §1.17.
- ☐ The issue fee set in 37 CFR §1.18 at or before mailing the Notice of Allowance, pursuant to 37 CFR §1.311(b).
- ☒ Any filing fees under 37 CFR §1.16 for presentation of extra claims.
- ☒ If a paper is untimely filed in this or any CPA thereof by Applicant(s), the Commissioner is hereby petitioned under 37 CFR. §1.136(a) for the minimum extension of time required to make said paper timely. In the event a petition for extension of time is made under the provisions of this paragraph, the Commissioner is hereby requested to charge any fee required under 37 CFR §1.17 to Deposit Account 02-4035.
- ☒ The Commissioner is hereby authorized to credit any overpayment of fees accompanying this paper to Deposit Account No. 02-4035.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.

By:

  
Sheridan Neimark  
Registration No. 20,520

SN:jaa

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